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Attorneys for Defendant CLIENT NAME

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA – SACRAMENTO

ROLON MORRIS,
Plaintiff,

v.

CLARK PACIFIC PRECAST LLC; DOES 1-
20 Individually and in official capacities,
inclusive,
Defendants.

Case No. 2:20-cv-01291-WBS-CKD

**STIPULATION AND ORDER
VACATING CLERK'S ENTRY OF
DEFAULT**

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff ROLON MORRIS and Defendant CLARK PACIFIC PRECAST LLC, through their undersigned counsel, that the Clerk's Entry of Default dated August 14, 2020 against Defendant for failure to appear, plead or answer Plaintiff's complaint is set aside and vacated so that Plaintiff can file an amended Complaint naming Clark Pacific, A California General Partnership as Defendant in place of Clark Pacific Precast, LLC. Defendant's counsel stipulates to accept service of the amended Complaint on behalf of Clark Pacific, A California General Partnership. The Parties stipulate and agree that an order effectuating this agreement may be made and entered.

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1 **IT IS FURTHER STIPULATED AND AGREED** that: (1) this Stipulation may be
2 executed in counterparts, and (2) electronic signatures shall have the same force and effect
3 as originals.

4 **SEVILLE BRIGGS, LLP**
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 Attorneys for Defendant
 Clark Pacific Precast LLC

8 By: /S/ Michael R. Seville
9 Michael R. Seville

 By: /S/ Terry A. Wills
 Terry A. Wills

10 For good cause showing, IT IS ORDERED that the Clerk's Entry of Default dated
11 August 14, 2020 is hereby vacated and set aside; that Plaintiff shall forthwith file an
12 amended Complaint; that Defendant is granted leave to file a responsive pleading to the
13 Complaint within 30 days from the date of this order; and it is further ordered that, in the
14 meantime, all proceedings in the case be stayed until further order of the court.

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16 **PURSUANT OT THE STIPULATION IT IS SO ORDERED**

17 Dated: August 28, 2020



18 **WILLIAM B. SHUBB**
19 **UNITED STATES DISTRICT JUDGE**